

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CONTEL CELLULAR OF)
KENTUCKY, INC. FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO CONSTRUCT AN)
ADDITIONAL CELL FACILITY IN THE) CASE NO. 95-031
LOUISVILLE, KENTUCKY METROPOLITAN)
STATISTICAL AREA (BROWNSBORO ROAD)
CELL FACILITY))

O R D E R


On April 27, 1995, the Commission received the attached letter from William M. McKinney. Mr. McKinney either owns or occupies property near the proposed cellular telecommunications facility to be located at 1913 Rudy Lane, Louisville, Jefferson County, Kentucky.

IT IS THEREFORE ORDERED that:

1. Contel Cellular of Kentucky, Inc. ("Contel Cellular") shall respond to Mr. McKinney's concerns by certified letter, within 10 days of the date of this Order.
2. Contel Cellular shall file a copy of the certified letter and dated receipt, within 7 days of the date on the receipt.

Done at Frankfort, Kentucky, this 4th day of May, 1995.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:


Executive Director

April 17, 1995
3910 Brookfield Avenue
Louisville, KY 40207

Mr. Don Mills
Executive Director
Public Service Commission
730 Schenkel Lane
P. O. Box 615
Frankfort, KY 40602

600-99503
RECEIVED

APR 27 1995

PUBLIC SERVICE
COMMISSION

Dear Mr. Mills,

SUBJECT: Proposed Cellular Radio Tower

An office complex is being built in Louisville on Rudy Lane, just North of Brownsboro Road. This is adjacent to the Sixth Class City of Winding Falls, and a new condominium complex, Ashwood Bluff. The office complex developer is proposing a cellular radio tower on that property.

When the office complex was proposed and presented to Winding Falls and the Louisville and Jefferson County Planning Commission, such cellular tower was not included. This Planning Commission is responsible for protecting private residential neighborhoods. Unfortunately, they have no control over such radio towers. The residential areas adjacent the office complex need your understanding and cooperation.

My wife and I are in the process of purchasing one of the Ashwood Bluff condominiums. The location of a cellular tower in close proximity to Ashwood Bluff is an obnoxious intrusion. Such a tower will not only be a real nuisance but it will have a negative impact on the value of our property and surrounding properties. Surely, if such a tower is absolutely necessary, it could be located in some commercial/industrial location where it would not encroach on private residential neighborhoods.

I find it hard to believe that your office would approve such a commercial intrusion on this quiet upscale neighborhood.

Rudy Lane Inc., the developer of Ashwood Bluff plans to vigorously oppose this tower with whatever actions are necessary. Their actions on behalf of these residents will be in conjunction with efforts by the adjoining cities and Paul Semonin Realtors Inc., the marketing company for Ashwood Bluff.

Please give attention to this matter and please consider our concerns about the proposed cellular radio tower.

Sincerely,


William M. McKinney

cc: Henry Potter
Potter and Cox
800 Meidinger Tower
462 South 4th Street
Louisville, KY 40202

Honorable Mitch McConnell
U.S. Senator Kentucky
Room 120 Russell Senate Office Building
Washington, D.C. 20510-1702

Robert Murphy
City of Winding Falls
5508 Hempstead
Louisville, KY 40207

Margaret Henderson
Richard Tonini
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